

# *United States District Court*

for

*District of Guam*

## **Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: **Myung Sug Kim**

Case Number: **CR 06-00104-001**

Name of Sentencing Judicial Officer: The Honorable Frances M. Tydingco-Gatewood

Date of Original Sentence: August 5, 2008

Original Offense: Count I - Criminal Conspiracy, in violation of 18 U.S.C. §§ 2 and 371

Original Sentence: Time served of approximately 222 days to be followed by two years supervised release with conditions: submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter not to exceed eight drugs per month; not possess a firearm, ammunition, destructive device, or any other dangerous weapon; cooperate in the collection of DNA; self-surrender to a duly authorized immigration official for deportation proceedings and if not deported, he shall immediately report to the U.S. Probation Office to begin his term of supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: August 5, 2008

Assistant U.S. Attorney: Karon V. Johnson

Defense Attorney: Samuel S. Teker

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### **PETITIONING THE COURT**



To issue a warrant.



To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance [In violation of 18 U.S.C. § 3583]

Mandatory Condition Failure to report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

Special Condition 1 Failure to self-surrender to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. § 3583(d), and with the established procedures provided by the Immigration and Naturalization Act under 8 U.S.C. § 1101. As a further condition of supervised release, if deported, the defendant shall remain outside and shall not re-enter the United States without the permission of the Attorney General. If deportation fails to occur and the defendant is released pending further immigration proceedings, he shall immediately report to the U.S. Probation Office to begin his term of supervised release.

U.S. Probation Officer Recommendation:

☒ The term of supervision should be

☒ revoked.

☐ extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

☐ The conditions of supervision should be modified as follows:

**Please see attached *Declaration in Support of Petition, Violation of Supervised Release Conditions; Request for a Warrant* submitted by U.S. Probation Officer Maria C. Cruz**

Reviewed by:



/s/ CARMEN D. O'MALLAN  
U.S. Probation Officer Specialist  
Supervision Unit Leader

Date: August 26, 2008

I declare under penalty of perjury that the foregoing is true and correct.



/s/ MARIA C. CRUZ  
U.S. Probation Officer

Executed on: August 26, 2008

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**THE COURT ORDERS:**

☐ No Action.

☐ The Issuance of a Warrant.

☐ The Issuance of a Summons.

☐ Other